



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,962	03/11/2004	Vincent P. Walker	00216-658001 / Case 8128	9016
26161	7590	03/31/2006	EXAMINER	
FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			BLAKE, CAROLYN T	
			ART UNIT	PAPER NUMBER
			3724	
DATE MAILED: 03/31/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/799,962

Applicant(s)

WALKER ET AL.

Examiner

Carolyn T. Blake

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-101 is/are pending in the application.
- 4a) Of the above claim(s) 5-23, 30-33, 35-53, 60-64, 69-87, 93-98 and 100 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 24-29, 34, 54-59, 65-68, 88-92, 99 and 101 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of Group III and Species B in the reply filed on January 5, 2006 is acknowledged.
2. Claims 5-23, 30-33, 35-53, 60-64, 69-87, 93-98 and 100 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

### ***Information Disclosure Statement***

3. Applicant has cited over 200 references. Any reference(s) of particular importance with respect to patentability of any claims, in particular the elected claims, are required to be specifically pointed out to the examiner.

### ***Drawings***

4. The drawings are objected to because an angle is incorrectly referred to by reference number " $\theta_2$ " in FIG 44. It unclear whether this reference number should be - -  $\Phi_2$  - or another number not discussed in the disclosure, but an appropriate correction is required. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate

Art Unit: 3724

changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

5. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

6. The disclosure is objected to because of the following informalities:

- Page 7, line 17: An appropriate figure, such as FIG 5, should be reference in referring to number 50 and 52, which cannot be found in FIGS 3, 3B, 3C, and 3D. Applicant should also correct any similar instances occurring in the disclosure.
- Page 13, line 15: The correct serial number for the pending US Application is - -10/798140- -.
- Page 14, line 31: The range "between 14 and 8 degrees" is unconventional. Change to - -between 8 and 14 degrees- - or equivalent.

Appropriate correction is required.

***Claim Objections***

7. Claims 26-29 and 59 are objected to because of the following informalities:  
These claims do not end in a period. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-4, 24-29, 34, 54-59, 65-68, 88-92, 99, and 101 are rejected under 35 U.S.C. 102(b) as being anticipated by Ferraro et al (5,781,997).

Regarding claim 1, Ferraro et al disclose a shaving blade unit as claimed, including: a plastic housing having a front portion (near the guard) and a rear portion (near shaving aid material 90) and two side surfaces (interior side surfaces of sides 34) extending from the front portion to the rear portion, the housing having a length extending from one side surface to the other side surface; one or more shaving blades (22, 24, 26) positioned between the front portion and the rear portion, the one or more blades having a blade length extending along respective one or more parallel blade axes; and a guard at the front portion of the housing, the guard including an electrometric member (80) that extends along a guard axis that is parallel to the respective one or more blade axes, the electrometric member having a length along the guard axis that is great than or equal to the blade length.

Regarding claim 2, Ferraro et al disclose the electrometric member (80) extends to the side surfaces of the housing.

Regarding claim 3, Ferraro et al disclose the electrometric member (80) extends over the sides surfaces of the housing. Because the electrometric member (80) extends beyond the side surfaces (interior side surfaces of sides 34) along the guard axis, it can be considering extending over as claimed.

Regarding claim 4, Ferraro et al disclose the electrometric member (80) forms a protrusion (see projecting members of 80 in FIGS 1, 2, etc.) extending outwardly from at least one of the side surfaces.

Regarding claim 24, Ferraro et al disclose the electrometric member (80) is flexible.

Regarding claim 25, Ferraro et al disclose a leading portion (tips of protrusions) of the electrometric member (80) extends beyond a leading edge of the front portion of the housing in a direction perpendicular to the guard axis and blade axis.

Regarding claim 26, Ferraro et al disclose the leading portion is substantially unsupported along its length.

Regarding claim 27, Ferraro et al disclose the leading portion is sufficiently flexible to deflect upon contact with a user's skin.

Regarding claim 28, Ferraro et al disclose the leading portion is sufficiently flexible to conform to a contour of the user's skin during shaving.

Regarding claim 29, Ferraro et al disclose the leading portion has a first thickness (a protrusion near each side surface) adjacent the side surfaces of the

Art Unit: 3724

housing, and tapers to a second, lesser thickness (a recessed groove near the center) adjacent a center region of the guard.

Regarding claim 34, Ferraro et al disclose a shaving blade unit as claimed, including: a plastic housing having a front portion (near the guard) and a rear portion (near shaving aid material 90) and two side surfaces (interior side surfaces of sides 34) extending from the front portion to the rear portion, the housing having a length extending from one side surface to the other side surface; one or more shaving blades (22, 24, 26) positioned between the front portion and the rear portion, the one or more blades having a blade length extending along respective one or more parallel blade axes; and a guard at the front portion of the housing, the guard including an electrometric member (80), the electrometric member extending over at least one of the side surface and along a guard axis that is parallel to the respective one or more blade axes. Because the electrometric member (80) extends beyond the side surfaces (interior side surfaces of sides 34) along the guard axis, it can be considering extending over as claimed.

Regarding claim 54, Ferraro et al disclose the electrometric member (80) is flexible.

Regarding claim 55, Ferraro et al disclose a leading portion (tips of protrusions) of the electrometric member (80) extends beyond a leading edge of the front portion of the housing in a direction perpendicular to the guard axis and blade axis.

Regarding claim 56, Ferraro et al disclose the leading portion is substantially unsupported along its length.

Regarding claim 57, Ferraro et al disclose the leading portion is sufficiently flexible to deflect upon contact with a user's skin.

Regarding claim 58, Ferraro et al disclose the leading portion is sufficiently flexible to conform to a contour of the user's skin during shaving.

Regarding claim 59, Ferraro et al disclose the leading portion has a first thickness (a protrusion near each side surface) adjacent the side surfaces of the housing, and tapers to a second, lesser thickness (a recessed groove near the center) adjacent a center region of the guard.

Regarding claim 65, Ferraro et al disclose a shaving blade unit as claimed, including: a plastic housing having a front portion (near the guard) and a rear portion (near shaving aid material 90) and two side surfaces (interior side surfaces of sides 34) extending from the front portion to the rear portion, the housing having a length extending from one side surface to the other side surface and a width perpendicular to the length; one or more shaving blades (22, 24, 26) positioned between the front portion and the rear portion, the one or more blades having a blade length extending along respective one or more parallel blade axes; and a guard including an electrometric member (80) carried by the housing at the front portion of the housing and extending along a guard axis that is parallel to the respective one or more blade axes, the guard having a width perpendicular to the guard axis extending beyond the width of the housing.

Regarding claim 66, Ferraro et al disclose the electrometric member (80) has a length along the guard axis that is great than or equal to the blade length.



Regarding claim 67, Ferraro et al disclose the electrometric member (80) extends over at least one of the side surfaces. Because the electrometric member (80) extends beyond the side surfaces (interior side surfaces of sides 34) along the guard axis, it can be considering extending over as claimed.

Regarding claim 68, Ferraro et al disclose the electrometric member (80) forms a projection (see projecting members of 80 in FIGS 1, 2, etc.) extending outwardly from at least one of the side surfaces.

Regarding claim 88, Ferraro et al disclose the electrometric member (80) is flexible.

Regarding claim 89, Ferraro et al disclose a leading portion (tips of protrusions) of the electrometric member (80) is substantially unsupported along its length.

Regarding claim 90, Ferraro et al disclose the leading portion is sufficiently flexible to deflect upon contact with a user's skin.

Regarding claim 91, Ferraro et al disclose the leading portion is sufficiently flexible to conform to a contour of the user's skin during shaving.

Regarding claim 92, Ferraro et al disclose the leading portion has a first thickness (a protrusion near each side surface) adjacent the side surfaces of the housing, and tapers to a second, lesser thickness (a recessed groove near the center) adjacent a center region of the guard.

Regarding claim 99, Ferraro et al disclose a shaving razor as claimed, including a handle (see col. 2, lines 15-17, wherein the razor head is disclosed as attachable to a razor); and a shaving cartridge (10) including a connection structure (unnumbered, see

Art Unit: 3724

FIGS 1, 4, 5, and 7) connecting the cartridge to the handle, the shaving cartridge comprising: a plastic housing having a front portion (near the guard) and a rear portion (near shaving aid material 90) and two side surfaces (interior side surfaces of sides 34) extending from the front portion to the rear portion, the housing having a length extending from one side surface to the other side surface; one or more shaving blades (22, 24, 26) positioned between the front portion and the rear portion, the one or more blades having a blade length extending along respective one or more parallel blade axes; and a guard at the front portion of the housing, the guard including an electrometric member (80) that extends along a guard axis that is parallel to the respective one or more blade axes, the electrometric member having a length along the guard axis that is great than or equal to the blade length.

Regarding claim 101, Ferraro et al disclose the shaving cartridge (10) is irremovably connected to the handle by the connection structure. See col. 2, lines 15-16.

10. Claims 1-4, 24-29, 34, 54-59, 65-68, 88-92, 99, and 101 are rejected under 35 U.S.C. 102(b) as being anticipated by King et al (6,167,625).

Regarding claim 1, King et al disclose a shaving blade unit as claimed, including: a plastic housing having a front portion (near the guard) and a rear portion (near shaving aid 21) and two side surfaces (interior side surfaces of unnumbered sides shown in dotted lines in FIG 1) extending from the front portion to the rear portion, the housing having a length extending from one side surface to the other side surface; one or more shaving blades (12, 14) positioned between the front portion and the rear

Art Unit: 3724

portion, the one or more blades having a blade length extending along respective one or more parallel blade axes; and a guard at the front portion of the housing, the guard including an electrometric member (11) that extends along a guard axis that is parallel to the respective one or more blade axes, the electrometric member having a length along the guard axis that is great than or equal to the blade length.

Regarding claim 2, King et al disclose the electrometric member (11) extends to the side surfaces of the housing.

Regarding claim 3, King et al disclose the electrometric member (11) extends over the sides surfaces of the housing. Because the electrometric member (11) extends beyond the side surfaces (interior side surfaces of unnumbered sides shown in dotted lines in FIG 1) as seen in FIG 2, it can be considered extending over as claimed.

Regarding claim 4, King et al disclose the electrometric member (11) forms a protrusion (15) extending outwardly from at least one of the side surfaces.

Regarding claim 24, King et al disclose the electrometric member (11) is flexible.

Regarding claim 25, King et al disclose a leading portion (see FIG 2) of the electrometric member (11) extends beyond a leading edge of the front portion of the housing in a direction perpendicular to the guard axis and blade axis.

Regarding claim 26, King et al disclose the leading portion is substantially unsupported along its length.

Regarding claim 27, King et al disclose the leading portion is sufficiently flexible to deflect upon contact with a user's skin.

Regarding claim 28, King et al disclose the leading portion is sufficiently flexible to conform to a contour of the user's skin during shaving.

Regarding claim 29, King et al disclose the leading portion has a first thickness (a wall 52 near each side surface) adjacent the side surfaces of the housing, and tapers to a second, lesser thickness (a cavity 44 near the center) adjacent a center region of the guard.

Regarding claim 34, King et al disclose a shaving blade unit as claimed, including: a plastic housing having a front portion (near the guard) and a rear portion (near shaving aid 21) and two side surfaces extending from the front portion to the rear portion, the housing having a length extending from one side surface to the other side surface; one or more shaving blades (12, 14) positioned between the front portion and the rear portion, the one or more blades having a blade length extending along respective one or more parallel blade axes; and a guard at the front portion of the housing, the guard including an electrometric member (11), the electrometric member extending over at least one of the side surface and along a guard axis that is parallel to the respective one or more blade axes. Because the electrometric member (11) extends beyond the side surfaces (interior side surfaces of unnumbered sides shown in dotted lines in FIG 1) as seen in FIG 2, it can be considered extending over as claimed.

Regarding claim 54, King et al disclose the electrometric member (11) is flexible.

Regarding claim 55, King et al disclose a leading portion (see FIG 2) of the electrometric member (11) extends beyond a leading edge of the front portion of the housing in a direction perpendicular to the guard axis and blade axis.

Regarding claim 56, King et al disclose the leading portion is substantially unsupported along its length.

Regarding claim 57, King et al disclose the leading portion is sufficiently flexible to deflect upon contact with a user's skin.

Regarding claim 58, King et al disclose the leading portion is sufficiently flexible to conform to a contour of the user's skin during shaving.

Regarding claim 59, King et al disclose the leading portion has a first thickness (a wall 52 near each side surface) adjacent the side surfaces of the housing, and tapers to a second, lesser thickness (a cavity 44 near the center) adjacent a center region of the guard.

Regarding claim 65, King et al disclose a shaving blade unit as claimed, including: a plastic housing having a front portion (near the guard) and a rear portion (near shaving aid 21) and two side surfaces (interior side surfaces of unnumbered sides shown in dotted lines in FIG 1) extending from the front portion to the rear portion, the housing having a length extending from one side surface to the other side surface and a width perpendicular to the length; one or more shaving blades (12, 14) positioned between the front portion and the rear portion, the one or more blades having a blade length extending along respective one or more parallel blade axes; and a guard including an electrometric member (11) carried by the housing at the front portion of the housing and extending along a guard axis that is parallel to the respective one or more blade axes, the guard having a width perpendicular to the guard axis extending beyond the width of the housing.

Regarding claim 66, King et al disclose the electrometric member (11) has a length along the guard axis that is great than or equal to the blade length.

Regarding claim 67, King et al disclose the electrometric member (11) extends over at least one of the side surfaces. Because the electrometric member (11) extends beyond the side surfaces (interior side surfaces of unnumbered sides shown in dotted lines in FIG 1) as seen in FIG 2, it can be considered extending over as claimed.

Regarding claim 68, King et al disclose the electrometric member (11) forms a projection (15) extending outwardly from at least one of the side surfaces.

Regarding claim 88, King et al disclose the electrometric member (11) is flexible.

Regarding claim 89, King et al disclose a leading portion (see FIG 2) of the electrometric member (11) is substantially unsupported along its length.

Regarding claim 90, King et al disclose the leading portion is sufficiently flexible to deflect upon contact with a user's skin.

Regarding claim 91, King et al disclose the leading portion is sufficiently flexible to conform to a contour of the user's skin during shaving.

Regarding claim 92, King et al disclose the leading portion has a first thickness (a wall 52 near each side surface) adjacent the side surfaces of the housing, and tapers to a second, lesser thickness (a cavity 44 near the center) adjacent a center region of the guard.

Regarding claim 99, King et al disclose a shaving razor as claimed, including a handle (see col. 3, lines 47-52, wherein the razor cartridge is disclosed as usable in a razor assembly); and a shaving cartridge (10) including a connection structure

Art Unit: 3724

(unnumbered, see FIG 2) connecting the cartridge to the handle, the shaving cartridge comprising: a plastic housing having a front portion (near the guard) and a rear portion (near shaving aid 21) and two side surfaces (interior side surfaces of unnumbered sides shown in dotted lines in FIG 1) extending from the front portion to the rear portion, the housing having a length extending from one side surface to the other side surface; one or more shaving blades (12, 14) positioned between the front portion and the rear portion, the one or more blades having a blade length extending along respective one or more parallel blade axes; and a guard at the front portion of the housing, the guard including an electrometric member (11) that extends along a guard axis that is parallel to the respective one or more blade axes, the electrometric member having a length along the guard axis that is great than or equal to the blade length.

Regarding claim 101, King et al disclose the shaving cartridge (10) is irremovably connected to the handle by the connection structure. See col. 3, lines 47-52.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Altahaus (5,095,620), Andrews (6,216,345), Coffin (6,769,180), and Richard et al (6,772,523) are cited for disclosing shaving blade units with guards and electrometric members.

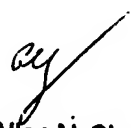
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn T. Blake whose telephone number is (571) 272-4503. The examiner can normally be reached on Monday to Friday, 8:00 AM to 5:30 PM, alternating Fridays off.

Art Unit: 3724

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on (571) 272-4514. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CB  
March 8, 2006

  
**Allan N. Shoap**  
**Supervisory Patent Examiner**  
**Group 3700**